

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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WIPO PCT

Applicant's or agent's file reference BP 106722	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FI 03/00702	International filing date (day/month/year) 26.09.2003	Priority date (day/month/year) 26.09.2002
International Patent Classification (IPC) or both national classification and IPC B05B1/04		
Applicant METSO PAPER, INC. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
 - ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 23.04.2004	Date of completion of this report 14.03.2005
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Eberwein, M Telephone No. +49 89 2399-7260



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EXAMINATION REPORT**

International application No. PCT/FI 03/00702

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-5 as originally filed

Claims, Numbers

1-10 received on 05.10.2004 with letter of 04.10.2004

Drawings, Sheets

1/1 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-4,10
Inventive step (IS)	Yes: Claims	
	No: Claims	1-4,10
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

2. Citations and explanations

see separate sheet

Novelty, inventive step, and industrial applicability (Item V)

Claims 1-4 and 10

1. Claim 1:

From (D2) (see figure 1) there is known a nozzle suitable for the use in the coating of a web-like material known, wherein the nozzle is formed by a piece having a tapered duct ending in a closed tip, a transverse V-shaped groove machined in the tip, wherein the angle of the V-shaped groove is in the range from 25 to 50°, such as 35 to 45° (as derivable from the drawings; see also (D5) Fig. 8: 40° opening angle). The arrangement of known nozzles in an array with one or more rows is merely one of several straightforward possibilities from which the skilled person would select in order to solve the problem posed.

2. Claim 2:

...the nozzle orifice is oval: see (D2), (D3), (D5) and (D6).

3. Claim 3:

...the ratio...is over 1 (the expression distinctly is unclear, the ratios followed after the expression "such as" are seen as purely optional features).

4. Claim 4:

...dimensions are 1 to 0.3mm x 0.5 to 0.1mm (see (D5) column 7, line 37 and 38).

5. Claim 10:

The use of the nozzle, suitable for coating of web-like material is implied by the documents cited above.

6. Thus, it appears that the subject-matter of claims 1-4 and 10 is not new as required by Article 33(2) PCT.

7. Furthermore these nozzles are well known in the prior art, variations in dimensions or grouping these nozzles in rows do not seem to involve an inventive step as required by Article 33(3) PCT, wherein the effects achieved are obvious.

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Claims 5-9

8. Claims 5-9 are unclear, especially the meaning of secondary and preliminary nozzle does not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not clearly defined. The following functional statements do not enable the skilled person to determine which technical features are necessary to perform the stated functions. Thus a skilled person is left in doubt as to the structure and the function of the various parts mentioned.